

VIII-2-1	<b>Declaration: Entitlement to apply for and be granted a patent</b> Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate: Name (LAST, First)	<b>in relation to this international application</b>  KONINKLIJKE PHILIPS ELECTRONICS N.V. is entitled to apply for and be granted a patent by virtue of the following:
VIII-2-1(i)		KONINKLIJKE PHILIPS ELECTRONICS N.V. is entitled as employer of the inventor, LINSSEN, Petrus, J., A.
VIII-2-1(x)	This declaration is made for the purposes of:	all designations except the designation of the United States of America

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference PHNL040042WO	<b>FOR FURTHER ACTION</b>	See item 4 below
International application No. PCT/IB2005/050104	International filing date ( <i>day/month/year</i> ) 10 January 2005 (10.01.2005)	Priority date ( <i>day/month/year</i> ) 22 January 2004 (22.01.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KONINKLIJKE PHILIPS ELECTRONICS N.V.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
2. This REPORT consists of a total of 6 sheets, including this cover sheet.  
  
In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- |                                     |              |   |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the report   |
| <input type="checkbox"/>            | Box No. II   | Priority  |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention  |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited   |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application  |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application   |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. +41 22 338 82 70	Date of issuance of this report 20 December 2006 (20.12.2006)  Authorized officer  <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Cecile Chatel</div>  e-mail: pt13@wipo.int
---	--

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

## PCT

To:

see form PCT/ISA/220

### WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/B2005/050104

International filing date (day/month/year)  
10.01.2005

Priority date (day/month/year)  
22.01.2004

International Patent Classification (IPC) or both national classification and IPC  
INV. H01J5/54 H01J9/34

Applicant  
KONINKLIJKE PHILIPS ELECTRONICS N.V.

**1. This opinion contains indications relating to the following items:**

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk - Pays Bas  
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl  
Fax: +31 70 340 - 3016

Date of completion of  
this opinion

see form  
PCT/ISA/210

Authorized Officer

But, Gabriela-Ileana

Telephone No. +31 70 340-9537



**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/B2005/050104

**Box No. I Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material:

- ☐ a sequence listing
- ☐ table(s) related to the sequence listing

b. format of material:

- ☐ on paper
- ☐ in electronic form

c. time of filing/furnishing:

- ☐ contained in the international application as filed.
- ☐ filed together with the international application in electronic form.
- ☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/IB2005/050104

---

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

---

**1. Statement**

Novelty (N)	Yes: Claims	2
	No: Claims	1,3-10
Inventive step (IS)	Yes: Claims	
	No: Claims	1-10
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

**2. Citations and explanations**  
**see separate sheet**

**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement**

**1 Prior art**

Reference is made to the following document:

D1: EP-A-0 490 702 (GEN ELECTRIC [US]) 17 June 1992 (1992-06-17)

**NOVELTY**

**2 Independent claim 1 not new**

2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

2.2 The document D1 discloses (the references in parentheses applying to this document) a lamp (column 1, line 5) comprising:

- a cap and a burner attached to the cap, wherein the burner and the cap are connected through a metal part (column 1, lines 8-11; column 3, lines 29-31),
- which metal part has at least two legs (column 3, line 41), a portion of each leg engaging a corresponding portion of the cap, the corresponding portion being of synthetic resin material (column 3, lines 41-45; column 5, line 40),
- which portion of each leg has been heated in order to melt the synthetic resin material and to deform it so as to correspond to the shape of the leg, whereby a mutual engagement of said portion of the leg and said corresponding portion of the cap is obtained (column 3, lines 55-58; fig. 4).

An apparatus having all features of claim 1 is known from D1, the subject-matter of claim 1 is therefore not new.

### **3 Independent claim 9**

The same reasoning applies, mutatis mutandis, to the corresponding features of method claim 9. Moreover, it is an obvious method to assemble and to immobilise the parts of a lamp in the claimed way; the subject-matter of this claim is therefore not inventive.

### **4 Dependent claims**

Dependent claims 2-8 and 10 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty or inventive step.

The features present in claims 3-8 and 10 are known from D1. The corresponding passages are:

claim 3: fig. 4,  
claim 4: column 5, lines 34-37,  
claim 5: fig. 4,  
claim 6: fig. 4,  
claim 7: fig. 4,  
claim 8: column 5, line 55; fig. 4,  
claim 10: column 3, lines 45-47.

The subject-matter of these claims is therefore not new.

The feature present in claim 2 is related to the number of legs of the metal part being 3. The skilled person would adapt the number of legs according to his needs and production possibilities without exercising an inventive step. The subject-matter of this claim is therefore not inventive.

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

## PCT

To:

see form PCT/ISA/220

### WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/IB2005/050104

International filing date (day/month/year)  
10.01.2005

Priority date (day/month/year)  
22.01.2004

International Patent Classification (IPC) or both national classification and IPC  
INV. H01J5/54 H01J9/34

Applicant  
KONINKLIJKE PHILIPS ELECTRONICS N.V.

**1. This opinion contains indications relating to the following items:**

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk - Pays Bas  
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl  
Fax: +31 70 340 - 3016

Date of completion of  
this opinion

see form  
PCT/ISA/210

Authorized Officer

But, Gabriela-Ileana

Telephone No. +31 70 340-9537





**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/B2005/050104

---

**Box No. 1 Basis of the opinion**

---

1. With regard to the **language**, this opinion has been established on the basis of:
  - ☒ the international application in the language in which it was filed
  - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ on paper
    - ☐ in electronic form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in electronic form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/IB2005/050104

---

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

---

**1. Statement**

Novelty (N)	Yes: Claims	2
	No: Claims	1,3-10
Inventive step (IS)	Yes: Claims	
	No: Claims	1-10
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

**2. Citations and explanations**  
**see separate sheet**

**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement**

**1 Prior art**

Reference is made to the following document:

D1: EP-A-0 490 702 (GEN ELECTRIC [US]) 17 June 1992 (1992-06-17)

**NOVELTY**

**2 Independent claim 1 not new**

2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

2.2 The document D1 discloses (the references in parentheses applying to this document) a lamp (column 1, line 5) comprising:

- a cap and a burner attached to the cap, wherein the burner and the cap are connected through a metal part (column 1, lines 8-11; column 3, lines 29-31),
- which metal part has at least two legs (column 3, line 41), a portion of each leg engaging a corresponding portion of the cap, the corresponding portion being of synthetic resin material (column 3, lines 41-45; column 5, line 40),
- which portion of each leg has been heated in order to melt the synthetic resin material and to deform it so as to correspond to the shape of the leg, whereby a mutual engagement of said portion of the leg and said corresponding portion of the cap is obtained (column 3, lines 55-58; fig. 4).

An apparatus having all features of claim 1 is known from D1, the subject-matter of claim 1 is therefore not new.

### **3 Independent claim 9**

The same reasoning applies, mutatis mutandis, to the corresponding features of method claim 9. Moreover, it is an obvious method to assemble and to immobilise the parts of a lamp in the claimed way; the subject-matter of this claim is therefore not inventive.

### **4 Dependent claims**

Dependent claims 2-8 and 10 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty or inventive step.

The features present in claims 3-8 and 10 are known from D1. The corresponding passages are:

claim 3: fig. 4,  
claim 4: column 5, lines 34-37,  
claim 5: fig. 4,  
claim 6: fig. 4,  
claim 7: fig. 4,  
claim 8: column 5, line 55; fig. 4,  
claim 10: column 3, lines 45-47.

The subject-matter of these claims is therefore not new.

The feature present in claim 2 is related to the number of legs of the metal part being 3. The skilled person would adapt the number of legs according to his needs and production possibilities without exercising an inventive step. The subject-matter of this claim is therefore not inventive.